

PATENTS
BURST-3 CIP2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Applicant : Mark O. Worthington
Application No. : 09/421,870
Filed : October 26, 1999
For : TRACKABLE OPTICAL DISCS WITH
CONCURRENTLY READABLE
NONOPERATIONAL STRUCTURES
Group Art Unit : 2752
Examiner : Not yet assigned

New York, New York 10020
January 21, 2000

Box MISSING PARTS
Hon. Assistant Commissioner
for Patents
Washington, D.C. 20231

REQUEST UNDER 37 C.F.R. § 1.27
FOR SMALL ENTITY STATUS

Sir:

Pursuant to 37 C.F.R. § 1.27, applicant and assignee respectfully request Small Entity status for the purpose of paying reduced fees in the above-identified patent application. A Verified Statement (Declaration) Claiming Small Entity Status (37 C.F.R. 1.9(f) and 1.27(c)) - Small Business Concern, executed by the President of the assignee, is enclosed herewith.

Respectfully submitted,

Brett G. Alten
Reg. No. 42,258
Attorney for Applicant
and Assignee

I HEREBY CERTIFY THAT THIS
CORRESPONDENCE IS BEING
DEPOSITED WITH THE U.S.
POSTAL SERVICE AS FIRST
CLASS MAIL IN AN ENVELOPE
ADDRESSED TO: HON. ALICE
COMMISSIONER FOR
PATENTS
WASHINGTON, D.C. 20231
ON

January 21, 2000
Signature of Person Signing

FISH & NEAVE
1251 Avenue of the Americas
New York, New York 10020-1104
Tel.: (212) 596-9000

Rev. 11/98

Modified PTO 1083
Not For A Small Entity



PATENTS

XU

Atty Docket No. BURST-3 CIP2

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TRANSMITTAL LETTER

Sir:

Transmitted herewith: a Preliminary Amendment;
 a Supplemental Amendment; a substitute Specification; a Declaration;
 a Supplemental Declaration; a Power of Attorney; an Associate Power of
Attorney; formal drawings; to be filed in the above-identified patent
application.

FEE FOR ADDITIONAL CLAIMS

A fee for additional claims is not required.

A fee for additional claims is required.

The additional fee has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR*	PRESENT EXTRA	RATE	ADDITIONAL
<u>TOTAL CLAIMS</u>	116	-	116	= 0	$\times \$18 = \$.00$
INDEPENDENT					
<u>CLAIMS</u>	8	-	8	= 0	$\times \$78 = \$.00$
<u>FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM</u>				+ \$260	= \$ 0.00
					TOTAL \$0.00

* Filing fee being paid concurrently herewith.

A check in the amount of \$3,068.00 in payment of the (filing) fee is transmitted herewith.

The Commissioner is hereby authorized to charge payment of any additional fees required under 37 C.F.R. § 1.16 in connection with the paper(s) transmitted herewith, or credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.

Please charge \$ _____ to Deposit Account No. 06-1075 in payment of the fee for additional claims. A duplicate copy of this transmittal letter is transmitted herewith.

EXTENSION FEE

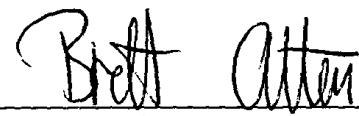
The following extension fee is applicable to the Response filed herewith:
 \$110.00 extension fee for response within first month pursuant to 37 C.F.R. § 1.136(a); \$380.00 extension fee for response within second month pursuant to 37 C.F.R. § 1.136(a); \$870.00 extension fee for response within third month pursuant to 37 C.F.R. § 1.136(a); \$1,360.00 extension fee for response within fourth month pursuant to 37 C.F.R. § 1.136(a) \$1,850.00 extension fee for response within fifth month pursuant to 37 C.F.R. § 1.136(a).

A check in the amount of \$110.00 \$380.00 \$870.00 \$1,360.00 \$1,850.00 in payment of the extension fee is transmitted herewith.

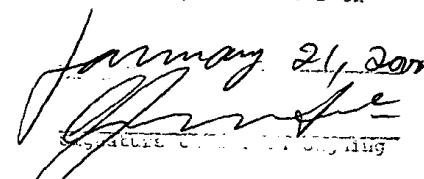
The Commissioner is hereby authorized to charge payment of any additional extension fees required under 37 C.F.R. § 1.17 in connection with the paper(s) transmitted herewith, or credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.

Please charge the \$110.00 \$380.00 \$870.00 \$1,360.00 \$1,850.00 extension fee to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.

I hereby certify that this correspondence is being transmitted with the U.S. Mail Service as First Class Mail in an envelope addressed to: ATTORNEY FOR APPLICANT, FISH & NEAVE, 1251 Avenue of the Americas, New York, New York 10020-1104, on MAY 21, 2001.


Brett G. Alten
Registration No. 42,258
Attorney for Applicant

FISH & NEAVE
1251 Avenue of the Americas
New York, New York 10020-1104
Tel.: (212) 596-9000


Brett G. Alten
Attorney for Applicant



XU

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January 21, 2000

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Washington, D.C. 20231

SUBMISSION OF EXECUTED
DECLARATION and FILING FEE

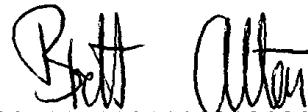
Sir:

Pursuant to 37 C.F.R. § 1.53(f), and in accordance with the requirement in the Notice to File Missing Parts dated November 26, 1999 (copy enclosed), submitted herewith is a Declaration executed by the inventor in the above-identified patent application, as well as a check in the amount of three thousand sixty eight dollars (\$3,068.00) in payment of the filing fee.

Because the fee amount is being paid after December 29, 1999, the amount is subject to the new fee schedule for 37 C.F.R. 1.16, 1.20, 1.492 fees, pursuant to a Notice of Final Rulemaking, Patent and Trademark Fee Revisions. Also, based on a recounting of the claims originally filed in this application, it is believed that the number of independent claims is 8 and the number of dependent claims is 116, making the filing fee \$3,068.00.

A check in the amount of one-hundred thirty dollars (\$130.00), in payment of the surcharge set forth in 37 C.F.R. § 1.16(e), is also enclosed. The Commissioner is hereby authorized to charge any additional surcharge due, or to credit any overpayment, in connection with this Submission, to Deposit Account No. 06-1075. A duplicate copy of this Submission is enclosed herewith.

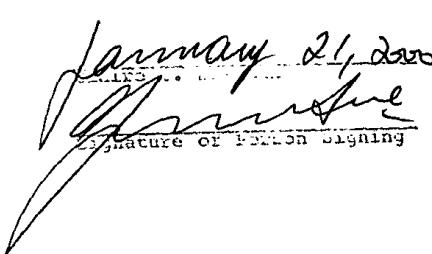
Respectfully submitted,



Brett G. Alten
Reg. No. 42,258
Attorney for Applicant

FISH & NEAVE
1251 Avenue of the Americas
New York, New York 10020-1104
Tel.: (212) 596-9000

I Herby Certify that this
Correspondence is being
Deposited with the U.S.
Postal Service as First
Class Mail in an envelope
Addressed to: P.M. C.
COMMISSIONER FOR
PATENTS
WASDINGTON, D.C. 20591


Signature or Faxon Signing

FEB 01 2000

UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NO./TITLE

09/421,870

10/26/99

WORTHINGTON

M

BURST-3-CIP2

0242/1126

BRETT G ALTEN
C/O FISH & NEAVE
125 AVENUE OF THE AMERICAS
NEW YORK NY 10020-1104

NOT ASSIGNED

2752

DATE MAILED:

11/26/99

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1:136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of \$65.00 for a small entity in compliance with 37 CFR 1.27, or \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a

small entity (statement filed) non-small entity is \$ 1,940.00.

1. The statutory basic filing fee is:

missing.
 insufficient.

Applicant must submit \$ 380.00 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

2. The following additional claims fees are due:

\$ 170 for 130 total claims over 20.

DOCKETED FOR

1/26/00

\$ 195 for 5 independent claims over 3.

\$ 130 for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

3. The oath or declaration:

is missing or unsigned.
 does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

7. Your filing receipt was mailed in error because your check was returned without payment.

8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

RECEIVED

UCC 9 1999

FISH & NEAVE - PATENT DEPT.
REFERRED TO 1000 450-5875
DHB
NOTED BY _____

Customer Service Center
Initial Patent Examination Division (703) 308-1202

FORM PTO-1533 (REV. 9/98)

PART 3 - OFFICE COPY

01	FC:204	130.00	DP
02	FC:201	380.00	DP
03	FC:205	65.00	DP
04	FC:203	1270.00	DP
05	FC:207	130.00	DP
06	FC:202	320.00	DP